

# ● PRINTER RUSH ●

(PTO ASSISTANCE)

Application : <u>09/294,630</u>	Examiner : <u>D. DUONG</u>	GAU : <u>2663</u>
From: <u>R. MITCHELL</u>	Location: <u>(IDC) FMF FDC</u>	Date: <u>8/15/05</u>
Tracking #: <u>6107417</u>		Week Date: <u>5/16/05</u>

DOC CODE	DOC DATE	MISCELLANEOUS
<input type="checkbox"/> 1449		<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS		<input type="checkbox"/> Foreign Priority
<input checked="" type="checkbox"/> CLM	<u>4/18/05</u>	<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW		<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW		<input type="checkbox"/> Other
<input type="checkbox"/> DRW		
<input type="checkbox"/> OATH		
<input type="checkbox"/> 312		
<input type="checkbox"/> SPEC		

[RUSH] MESSAGE: RENUMBERED CLAIM 6 (ORIGINAL CLAIM 26) IS  
IN COMPLETE. IT ENDS WITHOUT A PERIOD.

THANK YOU  
JEM

[XRUSH] RESPONSE: Original claim 26 is allowed based on the set of claims  
submitted in the "pre-amendment" on 7/7/03, and not based on the set of  
claims marked as "CLMPTO" entered on 4/18/05. See attachment for details

INITIALS: DD

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 REV 10/04



Attorney Docket No. 3815/76

B/1-9  
7/11/03  
P.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Uebayashi, et al.  
App. No. : 09/294,630 Examiner: Duong, Duc T.  
Filed : April 19, 1999 Group Art Unit: 2663  
Title : SIGNAL TRANSMISSION METHOD AND BASE STATION IN  
MOBILE COMMUNICATION

Mail Stop CPA  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Technology Center 2600

PRELIMINARY AMENDMENT

Sir:

Please enter the following in response to the Office Action mailed May 28, 2003 in the above-referenced patent application. This application is being converted to a Continued Prosecution Application, the request for which is being filed herewith.

**In the claims:**

Please amend claims 22, 25, 26, 28, 30, 33, 34 and 36 and enter new claims 37 and 38, as follows. The changes to the amended claim are shown in the enclosed paper entitled "Amended Claims Marked Up To Show Changes Relative To Previous Version (37 CFR 1.121(c)(ii))."

22. (Amended) A signal transmission method over a forward traffic channel in cellular mobile communications that can simultaneously perform one or more high speed communications whose transmission rates are higher than or equal to a predetermined rate, and one or more low speed communications whose transmission rates are lower than the predetermined rate between a plurality of mobile stations and a base station, said signal transmission method comprising the steps of:  
checking, on a base station side, whether a communication request is made for a high speed communication;

07/16/2003 JDOBB5 00000003 024270 09294630

01 FC:1251

110.00 DA

07/09/2003 MAHME1 00000080 09294630

02 FC:1202

36.00 DP

BRMFS1 415823v1

CLN

CLN

checking, if the communication request is made for a high speed communication, whether transmission power of all high speed communications performed simultaneously becomes greater than a predetermined first threshold value if the communication request is accepted;

checking whether transmission power of all communications performed simultaneously becomes greater than a predetermined second threshold value if the communication request is accepted; and

restricting acceptance of the communication request, if the transmission power of all high speed communications becomes greater than the first threshold value or the transmission power of all communications becomes greater than the second threshold value.

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25. (Amended) The signal transmission method as claimed in claim 22, wherein the step of restricting checks, if the transmission power of all high speed communications becomes greater than the first threshold value, whether the transmission power of all high speed communications becomes greater than a predetermined third threshold value if the communication request is accepted, and accepts the communication request with limiting a transmission rate of the requested communication, if the transmission power of all high speed communications becomes less than or equal to the third threshold value, and rejects the communication request, if the transmission power of all high speed communications becomes greater than the third threshold value.

26. (Amended) The signal transmission method as claimed in claim 22, wherein the step of restricting checks, if the transmission power of all high speed communications becomes greater than the first threshold value, whether the transmission power of all high speed communications becomes greater than a predetermined third threshold value if the communication request is accepted, and accepts the communication request with limiting a transmission rate of the requested communication, if the transmission power of all high speed communications becomes less than or equal to the third threshold value, and temporarily holds, if the transmission power of all high speed communications becomes greater than the third threshold value, the communication request for an allowable time period to wait for the transmission power of all high speed communications to become less than or equal to the third threshold value, and rejects the communication request if the transmission power of all high

speed communications does not become less than or equal to the third threshold value within the allowable time period.

28. (Amended) The signal transmission method as claimed in claim 25, further comprising the step of varying the third threshold value in accordance with a number of low speed communications.

30. (Amended) A base station that simultaneously performs one or more high speed communications whose transmission rates are higher than or equal to a predetermined rate, and one or more low speed communications whose transmission rates are lower than the predetermined rate with a plurality of mobile stations, said base station comprising:

means for checking whether a communication request is made for a high speed communication;

means for checking, if the communication request is made for a high speed communication, whether transmission power of all high speed communications performed simultaneously becomes greater than a predetermined first threshold value if the communication request is accepted;

means for checking whether transmission power of all communications performed simultaneously becomes greater than a predetermined second threshold value if the communication request is accepted; and

means for restricting acceptance of the communication request, if the transmission power of all high speed communications becomes greater than the first threshold value or the transmission power of all communications becomes greater than the second threshold value.

33. (Amended) The base station as claimed in claim 30, wherein the means for restricting checks, if the transmission power of all high speed communications becomes greater than the first threshold value, whether the transmission power of all high speed communications becomes greater than a predetermined third threshold value if the communication request is accepted, and accepts the communication request with limiting a transmission rate of the requested communication, if the transmission power of all high speed communications becomes less than or equal to the third threshold value, and rejects the communication request, if the

transmission power of all high speed communications becomes greater than the third threshold value.

34. (Amended) The base station as claimed in claim 30, wherein the means for restricting checks, if the transmission power of all high speed communications becomes greater than the first threshold value, whether the transmission power of all high speed communications becomes greater than a predetermined third threshold value if the communication request is accepted, and accepts the communication request with limiting a transmission rate of the requested communication, if the transmission power of all high speed communications becomes less than or equal to the third threshold value, and temporarily holds, if the transmission power of all high speed communications becomes greater than the third threshold value, the communication request for an allowable time period to wait for the transmission power of all high speed communications to become less than or equal to the third threshold value, and rejects the communication request if the transmission power of all high speed communications does not become less than or equal to the third threshold value within the allowable time period.

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36. (Amended) The base station as claimed in claim 33, further comprising the means for varying the third threshold value in accordance with a number of low speed communications.

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37. (New) The signal transmission method as claimed in claim 26, further comprising the step of varying the third threshold value in accordance with a number of low speed communications.

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38. (New) The base station as claimed in claim 34, further comprising the means for varying the third threshold value in accordance with a number of low speed communications.

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Art Unit: 2663

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Please cancel claims 1 - 21 and enter new claims 22- 36, as follows.

22. (Amended) A signal transmission method over a forward traffic channel in cellular mobile communications that can simultaneously perform one or more high speed communications whose transmission rates are higher than or equal to a predetermined rate, and one or more low speed communications whose transmission rates are lower than the predetermined rate between a plurality of mobile stations and a base station, said signal

transmission method comprising the steps of:

07/16/2003 JDD:BS 00000003 024270 09294630  
01 FC:1251 110.00 DA checking, on a base station side, whether a communication request is made for a high speed communication;

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02 FC:1202

36.00 QP

checking, if the communication request is made for a high speed communication, whether transmission power of all high speed communications performed simultaneously becomes greater than a predetermined first threshold value if the communication request is accepted;

checking whether transmission power of all communications performed simultaneously becomes greater than a predetermined second threshold value if the communication request is accepted; and

restricting acceptance of the communication request, if the transmission power of all high speed communications becomes greater than the first threshold value or the transmission power of all communications becomes greater than the second threshold value.

23. (New) The signal transmission method as claimed in claim 22, wherein the step of restricting rejects the communication request, if the transmission power of all high speed communications becomes greater than the first threshold value.

25. (Amended) The signal transmission method as claimed in claim 22, wherein the step of restricting checks, if the transmission power of all high speed communications becomes greater than the first threshold value, whether the transmission power of all high speed communications becomes greater than a predetermined third threshold value if the communication request is accepted, and accepts the communication request with limiting a transmission rate of the requested communication, if the transmission power of all high speed communications becomes less than or equal to the third threshold value, and rejects the communication request, if the transmission power of all high speed communications becomes greater than the third threshold value.

26. (Amended) The signal transmission method as claimed in claim 22, wherein the step of restricting checks, if the transmission power of all high speed communications becomes greater than the first threshold value, whether the transmission power of all high speed communications becomes greater than a predetermined third threshold value if the communication request is accepted, and accepts the communication request with limiting a transmission rate of the requested communication, if the transmission power of all high speed communications becomes less than or equal to the third threshold value, and temporarily holds, if the transmission power of all high speed communications becomes greater than the third threshold value, the communication request for an allowable time period to wait for the transmission power of all high speed communications to become less than or equal to the third threshold value, and rejects the communication request if the transmission power of all high

27. (New) The signal transmission method as claimed in claim 22, further comprising the step of varying the first threshold value in accordance with a number of low speed communications.

28. (New) The signal transmission method as claimed in claim 25 or 26, further comprising the step of varying the second threshold value in accordance with a number of low speed communications.

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29. (New) The signal transmission method as claimed in claim 22, further comprising the step of carrying out channel assignment of a combination of channels in which a forward channel transmission rate is higher than a reverse channel transmission rate.

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30. (Amended) A base station that simultaneously performs one or more high speed communications whose transmission rates are higher than or equal to a predetermined rate, and one or more low speed communications whose transmission rates are lower than the predetermined rate with a plurality of mobile stations, said base station comprising:  
means for checking whether a communication request is made for a high speed communication;

means for checking, if the communication request is made for a high speed communication, whether transmission power of all high speed communications performed simultaneously becomes greater than a predetermined first threshold value if the communication request is accepted;

means for checking whether transmission power of all communications performed simultaneously becomes greater than a predetermined second threshold value if the communication request is accepted; and

means for restricting acceptance of the communication request, if the transmission power of all high speed communications becomes greater than the first threshold value or the transmission power of all communications becomes greater than the second threshold value.

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**31. (New)** The base station as claimed in claim 30, wherein the means for restricting rejects the communication request, if the transmission power of all high speed communications becomes greater than the first threshold value.

**32. (New)** The base station as claimed in claim 30, wherein the means for restricting temporarily holds, if the transmission power of all high speed communications becomes greater than the first threshold value, the communication request for an allowable time period to wait for the transmission power of all high speed communications to become less than or equal to the first threshold value, and rejects the communication request if the transmission power of all high speed communications does not become less than or equal to the first threshold value within the allowable time period.

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**33. (Amended)** The base station as claimed in claim 30, wherein the means for restricting checks, if the transmission power of all high speed communications becomes greater than the first threshold value, whether the transmission power of all high speed communications becomes greater than a predetermined third threshold value if the communication request is accepted, and accepts the communication request with limiting a transmission rate of the requested communication, if the transmission power of all high speed communications becomes less than or equal to the third threshold value, and rejects the communication request, if the

transmission power of all high speed communications becomes greater than the third threshold value.

34. (Amended) The base station as claimed in claim 30, wherein the means for restricting checks, if the transmission power of all high speed communications becomes greater than the first threshold value, whether the transmission power of all high speed communications becomes greater than a predetermined third threshold value if the communication request is accepted, and accepts the communication request with limiting a transmission rate of the requested communication, if the transmission power of all high speed communications becomes less than or equal to the third threshold value, and temporarily holds, if the transmission power of all high speed communications becomes greater than the third threshold value, the communication request for an allowable time period to wait for the transmission power of all high speed communications to become less than or equal to the third threshold value, and rejects the communication request if the transmission power of all high speed communications does not become less than or equal to the third threshold value within the allowable time period.

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35. (New) The base station as claimed in claim 30, further comprising the means for varying the first threshold value in accordance with a number of low speed communications.

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36. (Amended) The base station as claimed in claim 33, further comprising the means for varying the third threshold value in accordance with a number of low speed communications.

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37. (New) The signal transmission method as claimed in claim 26, further comprising the step of varying the third threshold value in accordance with a number of low speed communications.

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38. (New) The base station as claimed in claim 34, further comprising the means for varying the third threshold value in accordance with a number of low speed communications.

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